

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
EL DORADO DIVISION**

LUCRETIA CROSS, et al.

PLAINTIFFS

VS.

Case No. 05-CV-1101

GEORGIA PACIFIC CORPORATION

DEFENDANT

GEORGIA PACIFIC CORPORATION

THIRD-PARTY PLAINTIFF

VS.

P.M.C. CONSTRUCTION, INC.

THIRD-PARTY DEFENDANT

ORDER

Before the Court is Defendant/Third-Party Plaintiff Georgia-Pacific Corporation's Motion to Non-Suit Third Party Complaint Against Third-Party Defendant P.M.C. Construction, Inc. (Doc. 13). The Court finds this motion ripe for consideration and upon consideration finds the motion should be and hereby is **granted** and Georgia-Pacific Corporation's Third Party Complaint Against Third-Party Defendant P.M.C. Construction is hereby dismissed without prejudice. If this matter is refiled in any court Georgia-Pacific Corporation will be ordered to pay any costs and expenses including reasonable attorney's fees which are duplicated as a result of refileing.

IT IS SO ORDERED this 1st day of May, 2006.

/s/ Harry F. Barnes

Hon. Harry F. Barnes
U.S. District Judge